

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

V.

Case No. 1:18-CV-68

UNITED STATES OF AMERICA, *et al.*,

Defendants,

and

KARLA PEREZ, *et al.*,

Defendant-Intervenors,

and

STATE OF NEW JERSEY,

Defendant-Intervenor.

DEFENDANT-INTERVENORS' APPENDIX
IN SUPPORT OF THEIR BRIEF IN SUPPORT OF
THEIR MOTION FOR SUMMARY JUDGMENT
AND IN OPPOSITION TO PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT

Volume 2
Exhibits 25-54

EXHIBIT 25

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Case No. 1:18-CV-68
	§	
UNITED STATES OF AMERICA, <i>et al.</i> ,	§	
	§	
Defendants,	§	
	§	
and	§	
	§	
KARLA PEREZ, MARIA ROCHA,	§	
JOSE MAGAÑA-SALGADO,	§	
NANCI J. PALACIOS GODINEZ,	§	
ELLY MARISOL ESTRADA, KARINA	§	
RUIZ DE DIAZ, CARLOS AGUILAR	§	
GONZALEZ, KARLA LOPEZ, LUIS A.	§	
RAFAEL, DARWIN VELASQUEZ,	§	
JIN PARK, OSCAR ALVAREZ,	§	
NANCY ADOSSI, DENISE ROMERO,	§	
PRATISHTHA KHANNA, JUNG WOO	§	
KIM, ANGEL SILVA, MOSES KAMAU	§	
CHEGE, HYU-WON JEON, ELIZABETH	§	
DIAZ, MARIA DIAZ, and BLANCA	§	
GONZALEZ,	§	
	§	
Defendant-Intervenors.	§	

DECLARATION OF ELLY MARISOL ESTRADA CRUZ

My name is Elly Marisol Estrada Cruz. I am over the age of 18 and fully competent to make this declaration.


1. I am 26 years old, and I live in Syracuse, New York.
2. I graduated from Armstrong State University (now Georgia Southern University) in 2016 with a Bachelor of Arts in Political Science and Spanish. I am currently a full-time first-year student at Syracuse College of Law. Upon graduation, I plan

to practice immigration law.

3. I pay sales tax. While working full-time, I paid federal and state income tax.
4. Once I received deferred action through the initiative known as Deferred Action for Childhood Arrivals (DACA), I was able to obtain a driver's license and open a bank account. I have never applied for advance parole to leave the United States.
5. Without DACA, I would not have pursued a higher education. It changed my life and curbed my frequent nightmares about being deported and separated from my family. It gave me more freedom to get involved in my community, including volunteering with the District Attorney's office. It also provided access to healthcare through my employment, which allowed me to receive health services and improve my mental health.
6. The Administration's attempts to rescind DACA caused me to put my career and dreams on pause. I wanted to use my work authorization to save money while I could still be employed. I intended to work for only one year at an immigration law firm as a legal assistant prior to law school, but I ultimately worked for three years. While a big part of me wanted to keep working, I decided to resume my studies because DACA has continued and I began law school this fall. I have had anxiety because of the level of uncertainty surrounding DACA, but as long as DACA continues, I have a sense of security and hope.
7. I have lived in the United States since I arrived from Mexico when I was five years old. I wish to remain in this country. Receiving deferred action is critical to my ability to live and work in the United States and losing deferred action would impose a great hardship on me and my family.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed this 5th day of November 2020 in Syracuse, NY.



Signature

Elly Marisol Estrada

Printed Name

EXHIBIT 26

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Case No. 1:18-CV-68
	§	
UNITED STATES OF AMERICA, <i>et al.</i> ,	§	
	§	
Defendants,	§	
	§	
and	§	
	§	
KARLA PEREZ, MARIA ROCHA,	§	
JOSE MAGAÑA-SALGADO,	§	
NANCI J. PALACIOS GODINEZ,	§	
ELLY MARISOL ESTRADA, KARINA	§	
RUIZ DE DIAZ, CARLOS AGUILAR	§	
GONZALEZ, KARLA LOPEZ, LUIS A.	§	
RAFAEL, DARWIN VELASQUEZ,	§	
JIN PARK, OSCAR ALVAREZ,	§	
NANCY ADOSSI, DENISE ROMERO,	§	
PRATISHTHA KHANNA, JUNG WOO	§	
KIM, ANGEL SILVA, MOSES KAMAU	§	
CHEGE, HYU-WON JEON, ELIZABETH	§	
DIAZ, MARIA DIAZ, and BLANCA	§	
GONZALEZ,	§	
	§	
Defendant-Intervenors.	§	

DECLARATION OF HYU-WON JEON

My name is Hyu-Won Jeon. I am over the age of 18 and fully competent to make this declaration.

1. I am 25 years old, and currently live in Houston, Texas. Currently, I work remotely for a non-profit organization in Chicago, Illinois.

2. I graduated from Harvard University in 2019 with a Bachelor of Arts in Social Studies. I recently submitted my application for admission to graduate school. I hope to study education and become a teacher.
3. I currently work as the National Organizing and Advocacy Manager at National Korean American Service & Education Consortium, a national organization that works to organize and promote civic engagement among Korean Americans.
4. I pay sales, federal income, and state income taxes.
5. I received deferred action through the initiative known as Deferred Action for Childhood Arrivals (DACA) when I was 17 years old. I have never applied for advance parole to leave the United States.
6. Since I received DACA, I have been able to obtain a driver's license, open a bank account, and work. I am also more involved in my community, working to organize and increase civic engagement among Asian American communities.
7. It is difficult to explain how having deferred action through DACA has fundamentally changed my life. Having even temporary protection from deportation has allowed me to participate meaningfully in this country. I have been able to advance my education, my career, and help my larger community.
8. For example, attending Harvard required me to travel from my home in Houston to Cambridge, MA and back again each year. Having DACA made it possible for me to possess an ID and travel across the country for my education.
9. The Administration's attempts to rescind DACA greatly affected me. I took a year off from my studies between junior and senior year of college. At that time, the threats to end DACA made me feel very worried about the future and I felt that I

needed to take time away from school and try to earn some money in case I lost work authorization. Because DACA continued, I was able to return to school, graduate and start working at my current job.

10. The instability of the program really upsets me, and it hurts to see how it impacts my parents. I am tired of being used as a political football for politicians to score political points.
11. I have lived in the United States since I was three years old. My family and community tie me to the United States and I wish to remain in this country. Receiving deferred action is critical to my ability to live and work in the United States and losing deferred action would impose a great hardship on me. If DACA were ended, I would do everything in my power to remain in the United States. If I were forced to leave the United States, I am not sure where I go.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing
is true and correct.

Executed this 6th day of November 2020 in Glenside, PA.



Signature

Esther Jeon
Printed Name

EXHIBIT 27

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, et al.,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	
)	Civil Action No. 1:18-CV-00068
UNITED STATES OF AMERICA, <i>et</i>)	
<i>al.,</i>)	
)	
<i>Defendants.</i>)	

DECLARATION OF ROBERT BRANTLEY

1. I am over nineteen years of age and a citizen of the United States and of the State of Alabama. I am competent to make this declaration and do so based on my personal knowledge.

2. I am presently the Chief Fiscal Officer for the Alabama Law Enforcement Agency (“ALEA”). I have served the State of Alabama in this capacity since my March 16, 2017 appointment, having previously held the positions of Assistant Finance Director with the Alabama Department of Corrections (ADOC) for seven and a half years and Director of Financial Accounting and Reporting at the the Alabama Department of Public Health for seven years.

3. In my current position, I oversee ALEA’s financial operations, including agency budget administration, financial accounting, purchasing, procurement, and the analysis of agency fiscal data. My responsibilities also include representing

ALEA before the State of Alabama Department of Finance and other state officials regarding ALEA fiscal matters.

4. Based on my knowledge and expertise, I estimate the total amount of ALEA funds expended on law enforcement functions during the fiscal year ending September 30, 2018 to be \$173,027,532.

5. ALEA does not systematically track cost data regarding individuals' immigration status when documenting law enforcement activities. Accordingly, ALEA cannot calculate the expenditure of agency funds on statewide law enforcement activity for specific DACA individuals without obtaining their personally identifying information.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 17th day of July, 2019.



Robert Brantley

EXHIBIT 28

**IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, et al.,)	
)	
Plaintiff)	
)	
v.)	Civil Action No.
)	1:18-cv-00068
UNITED STATES OF AMERICA,)	
et al.,)	
)	
Defendants.)	

DECLARATION OF ANDY CRAIG

My name is Andy Craig, and I am over 18 years of age and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Deputy State Superintendent of Education, Administration and Financial Services, for the Alabama State Department of Education ("ALSDE"). I have worked for ALSDE in this capacity since January 2015, having previously served as the Superintendent for Hoover City Schools for eight years.
2. In my current position, I oversee ALSDE's Division of Administration and Finance, which includes ALSDE Business and Support Services, Information Systems, Local Education Agency (LEA) Accounting and Reporting, LEA Auxiliary Support Services, and Disability Determination

Services. My responsibilities include representing ALSDE in legislative hearings and school finance related litigation.

3. ALSDE estimates that the average Foundation Program funding for the 2019-2020 school year will be \$6,225 per student.
4. The Foundation School Program, which serves as the primary funding mechanism for providing state aid to K-12 public schools in Alabama, is comprised of state and local funds. The Foundation Program funding is initially based on the average of the number of students enrolled in a school or school system for the 20 days following Labor Day for the previous school year. Districts may experience increases in their student enrollment after the initial funding calculations, and the Foundation Program provides a method of additional funding for enrollment growth across Alabama each year.
5. ALSDE has not received any information directly from the federal government regarding the precise number of unaccompanied children ("UAC") in Alabama. However, the costs of educating these students would be borne, in part, by the State.
6. Based on my knowledge and expertise regarding school finance issues impacting the State of Alabama, I anticipate that the total costs to the State

of providing public education to UAC would increase if the number of UAC enrolled in the State's public school system increases.

7. ALSDE does not track individual students' immigration status throughout their enrollment in the Alabama Public School System.
8. ALSDE cannot calculate specific past or future costs spent on specific individuals without obtaining identifying information from the Federal Defendants.
9. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 12th day of July, 2019.



Andy Craig

SWORN TO and SUBSCRIBED before me on this the 12th day of July, 2019.


Notary Public

My commission expires: 7/11/20

(SEAL)

STATES000260

EXHIBIT 29

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF ROBERT GREGORY ROGERS

My name is Robert Gregory Rogers. I have personal knowledge of the matters contained in this declaration.

1. I am employed by the Arkansas Department of Education, Division of Elementary and Secondary Education, as Assistant Commissioner for Fiscal and Administrative Services. I have held this position with the ADE since May of 2012.

2. As Assistant Commissioner for Fiscal and Administrative Services, I oversee all payments of state and federal funding issued to Arkansas public schools. Fiscal and Administrative Services also includes the financial component of the Arkansas Public School Computer Network (APSCN). APSCN is the financial and reporting tool that all public school districts in Arkansas are required by law to use for student and finance reporting.

STATES000270

3. The ADE tracks whether a student is an immigrant, but does not track the immigration status, and thus cannot determine the amount of state or federal funds spent on any student by immigration status.

4. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

5. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 6th day of August, 2019.

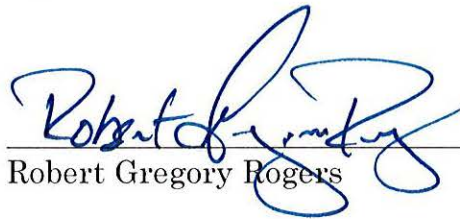

Robert Gregory Rogers

EXHIBIT 30

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

Case No. 1:18-cv-
00068

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

DECLARATION OF WILLIAM J. BRYANT

My name is William J. Bryant and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

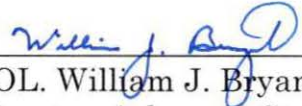
1. I am currently employed by the Arkansas State Police as Director. In my current position, I execute the statutory responsibilities of supervision and control of the Arkansas State Police.

2. In the course of enforcing the laws of the State of Arkansas, the Arkansas State Police does not have a policy of tracking whether an individual is a DACA recipient.

3. ASP cannot compile a record of information regarding any specific individual without first being provided the names of and identifying information for that individual.

4. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.



COL. William J. Bryant
Director, Arkansas State Police

Executed on this 7th day of August, 2019.

EXHIBIT 31

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;)	
)	
)	
<i>Plaintiffs,</i>)	
)	
<i>v.</i>)	Case No. 1:18-cv-00068
)	
UNITED STATES OF AMERICA, ET AL.;)	
)	
<i>Defendants,</i>)	
)	
<i>and</i>)	
)	
KARLA PEREZ, ET AL.;)	
)	
STATE OF NEW JERSEY,)	
)	
<i>Defendants-Intervenors.</i>)	
)	

DECLARATION OF (Law Enforcement)

My name is Nicole Hamm and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Information Services Division (ISD) Assistant Director for the Kansas Bureau of Investigation (KBI).
2. In my current position, I assist the ISD Director with daily division activities, and participate in development and implementation of all ISD programs.

3. The KBI oversees the collection of crime data through the Kansas Incident Based Reporting System (KIBRS). Incident Based Reporting is a unit within the ISD.

4. KIBRS does not track whether individuals involved in a case are Deferred Action for Childhood Arrivals (DACA) recipients. Accordingly, the KBI cannot provide information about incidents in which DACA recipients were potentially involved in the commission of a crime without being provided with the names and other identifying information of DACA recipients.

5. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16th day of July, 2019.

A handwritten signature in blue ink, appearing to read "Michael", followed by a horizontal line.

EXHIBIT 32

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF DALE M. DENNIS

My name is Dale M. Dennis, and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Deputy Commissioner of Education for the Kansas State Department of Education (KSDE). In this position, I oversee the distribution of state and federal aid to K-12 public schools. I also supervise all information and projects related to education legislation. This involves responding to requests for information from the Legislature and Governor's office concerning school finance as

well as keeping the State Board of Education, agency staff, and local education agencies informed on education legislation issues.

2. KSDE does not track the immigration status of students enrolled in Kansas public schools, including whether the students are Deferred Action for Childhood Arrivals (DACA) recipients.

3. KSDE cannot calculate the specific past or future education costs spent on children without lawful immigration status, including DACA recipients, without the names and other identifying information of such children, which KSDE does not possess.

4. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 17th day of July, 2019.

A handwritten signature in black ink, appearing to read "Dale M. Dennis", written over a horizontal line.

Dale M. Dennis

EXHIBIT 33

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, et al.,)	
)	
PLAINTIFFS,)	
)	
v.)	Civil Action No. 1:18-cv-00068
)	
UNITED STATES OF AMERICA,)	
et al.,)	
)	
DEFENDANTS)	
)	

DECLARATION OF ALEXANDER C. BILLIOUX

My name is Alexander Billioux, and I am over the age of eighteen (18) and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

- 1) I am employed by the Louisiana Department of Health (“LDH”), serving as its Assistant Secretary of the Office of Public Health (“OPH”). LDH is the state agency responsible for protecting and promoting health and ensuring access to medical, preventative, and rehabilitative services for all citizens of the State of Louisiana. LDH OPH is comprised of over 1,000 professionals across Louisiana who are charged with protecting and promoting the health of the communities of this state through the promotion of healthy lifestyles; prevention of disease and injury; safeguarding water, food, and the environment; leading the state's health data strategy; and ensuring readiness for hurricanes, disasters and other threats to Louisiana in conjunction with other state departments.

- 2) I have worked for LDH OPH in my current capacity since August 2018. Previously, I served as Senior Advisor to the Director of the Center for Medicare and Medicaid Innovation and Director of the Division of Population Health Incentives and Infrastructure in the Preventive and Population Health Group.
- 3) In my current role as the Assistant Secretary of OPH, I am responsible for overseeing OPH's public health offices and programs and all activities within my statutorily delegated authority concerning population health issues related to the programs within OPH. I am also responsible for the development of Louisiana's public health system including the design and implementation of initiatives that result in the achievement of long range public health goals. My appointment as Assistant Secretary of OPH is in accordance with La. R.S. 40:1.
- 4) Based on my knowledge, information, and belief, LDH OPH does not collect data or information regarding the immigration status of those who received services or benefits provided by LDH OPH nor has this agency expended funds towards the monitoring or tracking of the immigration status of those who received services or benefits provided by LDH OPH.
- 5) All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 10th day of July, 2019.

A handwritten signature in black ink, appearing to read "Alex Billieux", written in a cursive style.

Alexander Billieux, M.D., D. Phil.

EXHIBIT 34

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, et al,)	
)	
Plaintiffs,)	Civil Action No. 1:18-cv-00068
)	
v.)	
)	
UNITED STATES OF AMERICA, et al,)	
Defendants)	

DECLARATION OF KEVIN W. REEVES

My name is Kevin W. Reeves; I am over the age of 18; and declare under penalty of perjury that these facts are true and correct:

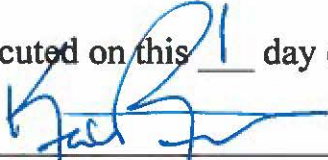
1. I am the Deputy Secretary of the Louisiana Department of Public Safety and Corrections, Public Safety Services, and Superintendent of the Office of State Police. I have served in these dual capacities since March 25, 2017; and have continuously served as commissioned law enforcement officer employed by the Public Safety Services, Office of State Police, since 1990.
2. In my capacity as Deputy Secretary I supervise and direct all of the offices located within Public Safety Services including the Office of State Police.
3. The Office of State Police is a statutorily mandated, statewide law enforcement agency whose purpose is to ensure the safety and security of the

people in the state through enforcement, education, and providing of other essential public safety services. More specifically, but not exclusively, the Office of State Police performs functions relating to the enforcement of the criminal and traffic laws of the state; federal and state commercial driving regulations; the maintenance of intelligence and investigative operations; and data processing relating to the National Crime Information Center and the Louisiana Bureau of Criminal Identification and Information. The Office of State Police also maintains a Gaming Enforcement Division that is committed to the strict regulation and control of statutorily authorized gaming entities in conjunction with the Louisiana Gaming Control Board (LGCB); and also maintains the Louisiana State Police Crime Laboratory which provides forensic services to law enforcement agencies.

4. In my capacity as Superintendent of the Office of State Police I have personal knowledge that the Office of State Police does not track immigration status; and further that the Office of State Police does not track the costs of services or benefits provided to undocumented immigrants.
5. All the facts and information contained within this declaration are within my personal knowledge and are true and correct.

6. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 1 day of July, 2019.



Kevin W. Reeves, Colonel
Department of Public Safety and Corrections
Public Safety Services, Office of State Police

EXHIBIT 35

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, et al.,)	
)	
PLAINTIFFS,)	
)	
v.)	Civil Action No. 1:18-cv-00068
)	
UNITED STATES OF AMERICA,)	
et al.,)	
)	
DEFENDANTS)	
)	

DECLARATION OF MICHAEL BOUTTE

In the State of Louisiana, the undersigned personally appears and pursuant to 28 U.S.C. § 1746 declares as follows:

1. My name is Michael Boutte. I am over the age of twenty-one (21), and I have personal knowledge of the matters set forth herein.

2. I serve as the Medicaid Deputy Director over Program Operations, Quality and Innovations with the Louisiana Department of Health ("LDH"). In that role, I am responsible for oversight of statewide Medicaid quality program and initiatives, including movement to value-based payment and other innovations; benefits management and covered services; the Medicaid Managed Care program, including provider networks, member relations, and contract compliance.

3. I have served in my current position since May 15, 2017. Prior to that, I served as a manager of performance audits and data analytics with the Office of the Louisiana Legislative Auditor.

4. Attached to this declaration are true and correct copies of the following documents:

- Exhibit 1: Emergency Medical Services for Non-Citizens from January 2016 to June 2019

- Exhibit 2: Refugee Medical Assistance from January 2016 to June 2019

5. Each of the records attached to this declaration is kept by LDH in the course of its regularly conducted activity, and it regular practice for an employee or representative of LDH, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time of the act, event, condition, opinion, or diagnosis.

6. LDH provides two principal categories of services and benefits to undocumented immigrants in Louisiana: (i) Emergency Medical Services for Non-Citizens (“Emergency Medicaid”); and (ii) Refugee Medical Assistance.

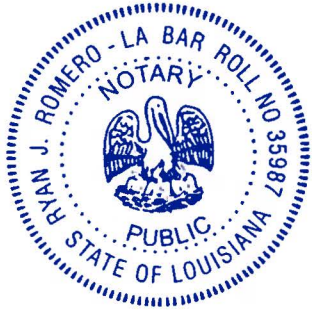
7. Emergency Medicaid is a federally required program jointly funded by the federal government and the states. The program provides Medicaid coverage, limited to emergency medical conditions, including childbirth and labor, to undocumented immigrants living in the United States.

8. Refugee Medical Assistance (“RMA”) is a short-term, federally funded program designed to ensure that refugees receive the medical care they need while they make the transition to life in the United States.

9. The attached exhibits reflect the accurate and current accounting for the classes of expenditures listed therein for the periods covered.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 10th day of July, 2019.




Michael Boutte

LOUISIANA DEPARTMENT OF HEALTH**Emergency Medical Services for Non-citizens from Jan'16 through Jun'19****Fee-for-Service Monthly Payments and Recipient Count**

Payment Month	Payments	Unduplicated Recipient Count
201601	\$79,182	14
201602	\$75,400	15
201603	\$137,857	15
201604	\$185,079	30
201605	\$468,953	34
201606	\$319,805	24
201607	\$244,646	40
201608	\$494,106	59
201609	\$404,678	46
201610	\$536,266	60
201611	\$362,663	63
201612	\$292,077	49
201701	\$419,255	71
201702	\$558,575	73
201703	\$444,725	91
201704	\$414,290	94
201705	\$588,005	96
201706	\$382,838	92
201707	\$339,704	105
201708	\$359,518	108
201709	\$327,301	85
201710	\$712,895	114
201711	\$569,389	90
201712	\$241,220	79
201801	\$504,485	107
201802	\$512,877	92
201803	\$489,985	122
201804	\$455,342	131
201805	\$704,785	181
201806	\$623,391	159
201807	\$880,622	183
201808	\$462,954	150
201809	\$732,619	151
201810	\$706,550	187
201811	\$495,051	162
201812	\$259,649	122
201901	\$173,446	94
201902	\$222,975	103
201903	\$203,639	160
201904	\$327,327	73
201905	\$137,105	57
201906	\$320,699	57

Note:

1. Type Case 047 means Emergency Medical Services for Non-citizens

LOUISIANA DEPARTMENT OF HEALTH**Refugee Medical Assistance from Jan'16 through Jun'19****Fee-for-Service Monthly Payments and Recipient Count**

Payment Month	Payments	Unduplicated Recipient Count
201601	\$11,445	164
201602	\$11,211	166
201603	\$14,265	189
201604	\$18,760	197
201605	\$15,955	185
201606	\$29,356	172
201607	\$17,860	160
201608	\$18,687	159
201609	\$8,692	169
201610	\$10,355	136
201611	\$12,175	125
201612	\$14,204	108
201701	\$14,304	92
201702	\$10,174	74
201703	\$17,103	78
201704	\$5,314	62
201705	\$4,705	48
201706	\$2,047	19
201707	\$840	19
201708	-\$70	10
201709	\$389	2
201710	\$162	10
201711	\$275	5
201712	\$373	2
201801	\$247	2
201803	\$6	5
201804	\$1,533	4
201805	\$99	6
201806	\$28	8
201807	\$639	9
201808	\$321	10
201809	\$1,437	9
201810	\$880	8
201811	\$146	8
201812	\$94	5
201901	\$77	2
201902	\$148	2
201903	-\$4	1
201904	\$210	4
201905	\$22	3
201906	\$161	4

Note:

1. Information extracted by Aid Category = 05 and Type Cases in (001, 020, 021)

2. Aid Category 05 means Refugee Assistance

Type Case 001 means RMA-Refugee Medical Assistance

Type Case 020 means RMA-MNP Refugee Medical Assistance

Type Case 021 means RMA-MNP/SD Refugee Medical Assistance

EXHIBIT 36

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

Case No. 1:18-cv-
00068

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

DECLARATION OF DREW SNYDER

My name is Drew Snyder, and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Executive Director of the Mississippi Division of Medicaid. The Mississippi Division of Medicaid is designated by state statute as the single state agency responsible for administering Medicaid in Mississippi. As such, the Mississippi Division of Medicaid has operational responsibility for ensuring access to quality care for approximately 720,000 Mississippians.

2. As part of my employment with the Mississippi Division of Medicaid, I am responsible for the overall administration of the agency.

3. I have served in my current position since January 2018. Prior to joining the Division of Medicaid, I served as Deputy Chief of Staff, Policy Director, and Legal Counsel to Governor Phil Bryant.

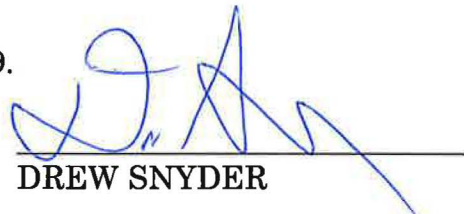
4. The Mississippi Division of Medicaid does not track individuals' immigration status when providing Medicaid services to any individual in the State of Mississippi.

5. The Mississippi Division of Medicaid cannot calculate specific past or future costs spent on specific individuals without obtaining personal identifying information from the Federal Defendants.

6. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 17th day of July, 2019.


DREW SNYDER

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid County and State, the within named Drew Snyder, and after first being duly sworn, did state upon his oath that he personally appeared and signed the foregoing Declaration.


DREW SNYDER

SWORN TO AND SUBSCRIBED before me, this the 17th day of July, 2019.

(SEAL)



My commission expires:


NOTARY PUBLIC

EXHIBIT 37

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF JACOB BLACK

My name is Jacob Black, and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Deputy Executive Director of Programs of the Mississippi Department of Human Services ("MDHS"). MDHS administers a wide range of public assistance programs, social services, and support for children, low-income individuals, and families.

2. As part of my employment with the MDHS, I have executive responsibility for all programs administered by the agency.

3. I have served in my current position since July 2019. Prior to serving as Deputy Executive Director of Programs, I served as Deputy Director of Administration for MDHS.

4. The Mississippi Department of Human Services does not track individuals' immigration status when providing MDHS services to any individual in the State of Mississippi unless required by Federal law or regulation.

5. The Mississippi Department of Human Services cannot calculate specific past or future costs spent on specific individuals without obtaining personal identifying information from the Federal Defendants.

6. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 17th day of July, 2019.


JACOB BLACK

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid County and State, the within named Jacob Black, and after first being duly sworn, did state upon his oath that he personally appeared and signed the foregoing Declaration.


JACOB BLACK

SWORN TO AND SUBSCRIBED before me, this the 17th day of July, 2019.

(SEAL)




NOTARY PUBLIC

My commission expires:

March 4, 2020

EXHIBIT 38

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF MARSHALL FISHER

My name is Marshall Fisher and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Commissioner of the Mississippi Department of Public Safety.
2. In my current position, I serve over the various divisions of the Mississippi Department of Public Safety including: Office of Public Safety Planning, Office of the Mississippi Highway Safety Patrol, Office of Forensics Laboratories, which includes the Office of the Medical Examiner, Office of Law Enforcement

Officers" Training Academy, Office of Support Services, Mississippi Bureau of Narcotics, and the Office of Homeland Security.

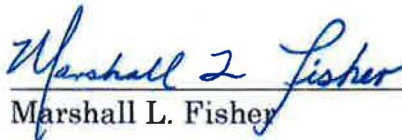
3. Law Enforcement Agencies under the purview of the Mississippi Department of Public Safety do not track individuals' immigration status when providing law enforcement services to any individual in the State of Mississippi.

4. Mississippi Law Enforcement Agencies under the purview of the Mississippi Department of Public Safety cannot calculate specific past or future costs spent on specific individuals without obtaining personal identifying information from the Federal Defendants.

5. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16th day of July, 2019.


Marshall L. Fisher

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid County and State, the within named Marshall Fisher, and after first being duly sworn, did state upon his oath that he personally appeared and signed the foregoing Declaration.


MARSHALL FISHER

SWORN TO AND SUBSCRIBED before me, this the 16th day of July, 2019.




NOTARY PUBLIC

EXHIBIT 39

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF BRIAN L. HALSTEAD

My name is Brian L. Halstead, and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I hold the position of Deputy Commissioner at the Nebraska Department of Education. ("NDE"). I have worked for NDE in this capacity since July 1, 2016.

2. In my current position, I oversee NDE's Division of Agency Support and Services, which includes staff that oversee NDE's operations and statutory and

regulatory obligations as they pertain to school systems in Nebraska, including with regard to all state financial aid directed to Nebraska school systems through NDE.

3. NDE does not track individuals' immigration status in connection with the distribution of state aid to any school or school system in Nebraska.

4. NDE cannot calculate specific past or future costs spent on specific students without obtaining personal identifying information from the Federal Defendants.

5. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 17th day of July, 2019.

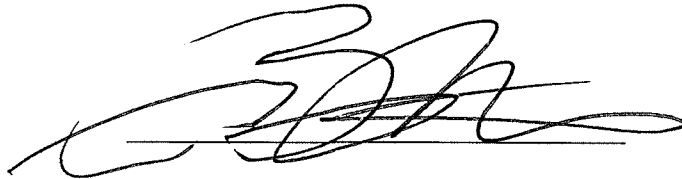
A handwritten signature in black ink, appearing to be "C. B. H.", written over a horizontal line.

EXHIBIT 40

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, ET AL.;

Plaintiffs,

U.

Case No. 1:18-cv-00068

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

DECLARATION OF JOHN BOLDUC

My name is John Bolduc and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Superintendent of the Nebraska State Patrol. I have worked for the Nebraska State Patrol since 2017, having previously served as the Chief of the San Diego Harbor Police for seven years. Prior to this, I served as Police Chief for the cities of Brainerd and Mora, Minnesota for 13 years. Before being Police Chief, I served in a variety of roles including patrol, investigations, training, and tactical operations in Minnesota.

2. In my current position, I oversee the Divisions of Field Services, Investigative Services, and Administrative Services. I also oversee the Agency's goals and objectives, policies and procedures, and organizational structure.


3. The Nebraska State Patrol does not track individuals' immigration status when providing law enforcement services to any individual in the State of Nebraska.

4. The Nebraska State Patrol cannot calculate specific past or future costs, or whether any cost is or was incurred at all, regarding specific individuals without obtaining personal identifying information from the Federal Defendants.

5. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16th day of July, 2019.



Col. John A. Bolduc

John A. Bolduc

Printed Name

Signed and sworn to before me this 16th day of July, 2019, by John A. Bolduc.

Notary Signature Nancy J. Kyser (Notary Seal)



EXHIBIT 41

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF MATTHEW VAN PATTON

My name is Matthew Van Patton, and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Director of Medicaid and Long Term Care at the Nebraska Department of Health and Human Services ("DHHS"). The Nebraska DHHS is the state agency responsible for ensuring the appropriate delivery of health and human services in Nebraska. As such, DHHS has operational responsibility for certain health and human services programs and oversight authority over the state health and human services agencies.

STATES000300

2. As a part of my employment with DHHS, I have executive authority overseeing the Division of Medicaid and Long Term Care ("MLTC"). In that capacity I oversee the Nebraska Medicaid program, home and community services for the elderly and persons with disabilities, and the State Unit on Aging. I am also responsible for managing the MLTC's budget and 600 complementary staff.

3. I have served in my current position since March 2018. Prior to that, I served as the Chief Executive Officer at Cadre Health in Greenville, South Carolina.

4. MLTC cannot practicably calculate the specific past or future costs spent on processing benefits applications from persons who may have DACA status without obtaining personal identifying information from the Federal Defendants.

5. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16 day of July, 2019.



Matthew Van Patton

EXHIBIT 42

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF ADAM L. WHITSETT

My name is Adam L. Whitsett and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the General Counsel at the South Carolina State Law Enforcement Division (SLED).
2. Based upon my review, SLED does not track any data regarding services for DACA recipients.


3. Similarly, based upon my review, SLED does not do any tracking or record keeping on individuals that would include their DACA status.

4. As a result, in my opinion, SLED cannot identify expenditures for specific DACA recipients without first obtaining their personal identifying information. Even then, SLED may not be able to identify such expenditures.

5. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 26th day of July, 2019.



Adam L. Whitsett, Esquire

EXHIBIT 43

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF Lawrence B. Livingston

My name is Lawrence B. Livingston and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Controller at the South Carolina Department of Health and Human Services.

2. Expenditures for 'Emergency Services for Undocumented Aliens' as reported on the CMS-64 (Quarterly Medicaid Assistance Expenditures) reports for State Fiscal Year 2018 was \$1.3 million in State dollars.

STATES000304

3. SCDHHS does not track whether an individual receiving emergency services is a DACA recipient. As a result, SCDHHS cannot provide information related to past or future expenditures for specific DACA recipients without first obtaining their personal identifying information.

4. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16th day of July, 2019.


 (Signature)

EXHIBIT 44

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF MOLLY M. SPEARMAN

My name is Molly M. Spearman and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I serve as the State Superintendent of Education and oversee the operations of the South Carolina Department of Education.
2. In fiscal year 2018-2019, South Carolina appropriated \$3,978,815,900 in state funds on kindergarten to twelfth grade public education.

3. Utilizing the fiscal year 2018-2019 average daily membership of 750,305 students, South Carolina appropriated \$5,302 in state funds per student in fiscal year 2018-2019.
4. South Carolina does not track immigration status for students enrolled in public schools.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 19th day of July 2019.



Molly M. Spearman
State Superintendent of Education

EXHIBIT 45

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF RUSTY MONHOLLON

My name is Rusty Monhollon and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the President and Executive Director at the South Carolina Commission on Higher Education (CHE).

2. The CHE Management Information System (CHEMIS) does not track DACA recipients or any state funding they receive.

STATES000306

5. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 24th day of July, 2019.

A handwritten signature in black ink, appearing to read "K. T. McDaniel", is written over a horizontal line.

(Signature)

EXHIBIT 46

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF LEONARDO R. LOPEZ

My name is Leonardo R. Lopez, and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Associate Commissioner for School Finance/Chief School Finance Officer at the Texas Education Agency ("TEA"). I have worked for TEA in this capacity since June 2016, having previously served as the Executive Director of Finance for the Austin Independent School District ("AISD") for four years. Prior to my time at AISD, I served for ten years in a variety of roles for TEA, including six

STATES000310

years as the Foundation School Program Operations Manager for the TEA's State Funding Division.

2. In my current position, I oversee TEA's school finance operations, including the administration of the Foundation School Program and analysis and processing of financial data. My responsibilities also include representing TEA in legislative hearings and school finance-related litigation.

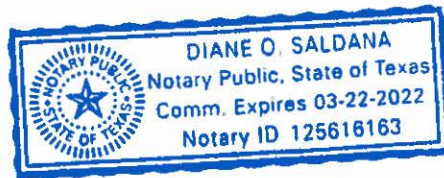
3. The Texas Education Agency does not track whether students are DACA recipients throughout their enrollment in the Texas Public School System.

4. TEA cannot calculate specific past or future costs spent on specific DACA-recipient students without obtaining personal identifying information from the Federal Defendants.

5. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 15 day of July, 2019.




LEONARDO R. LOPEZ

EXHIBIT 47

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF MONICA SMOOT

My name is Monica Smoot, and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Chief Data and Analytics Officer and Director of the Texas Health and Human Services Commission's Center for Analytics and Decision Support ("CADS"). The Texas Health and Human Services Commission ("HHSC") is the state agency responsible for ensuring the appropriate delivery of health and human services in Texas. As such, HHSC has operational responsibility for certain

health and human services programs and oversight authority over the state health and human services ("HHS") agencies.

2. As a part of my employment with HHSC, I am responsible for analytic and quantitative research on health care utilization, demographic trends, and enrollment patterns for the state's health care and human service programs, including Medicaid. I am also responsible for program evaluation activities and analytic support across all of the HHS agencies and programs.

3. I have served in my current position since January 1, 2017. Prior to that, I served as the manager for the Data Dissemination Unit within CADS.

4. HHSC does not track individuals' immigration status when providing emergency Medicaid services to any individual in the State of Texas.

5. HHSC cannot calculate specific past or future costs spent on specific DACA recipients without obtaining Personal Identifying Information (PII) from the Federal Defendants in order to attempt to match that information with PII found on Medicaid claims.

6. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 29 day of July, 2019.

A handwritten signature in cursive script, reading "Monica Smoot", is written over a horizontal line.

Monica Smoot

EXHIBIT 48

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF SKYLOR HEARN

My name is Skylor Hearn and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge and expertise of the matters herein stated.

1. I am the Deputy Director of Law Enforcement Services for the Texas Department of Public Safety. I have served with the agency for more than 25 years holding various positions including Texas Highway Patrolman, Narcotics Agent, and Texas Ranger. I have served on the agency's executive staff for the last 10 years.

STATES000314

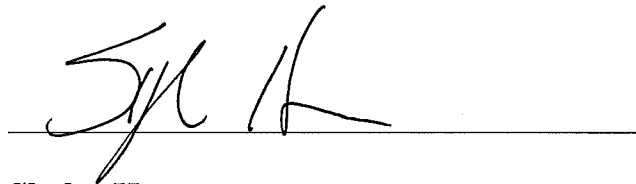
2. In my current position, I oversee the divisions responsible for collection, repository, and sharing of the agency's criminal justice information to authorized criminal justice entities at the local, state, and federal levels.

3. In providing law enforcement services in the state of Texas, the Texas Department of Public Safety does not collect or track information that reflects whether an individual who interacts with the department is a DACA recipient

4. All of the facts and information contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 5th day of August, 2019.

A handwritten signature in black ink, appearing to read "Skylor Hearn", is written over a horizontal line.

Skylor Hearn
Deputy Director, Texas Department of Public Safety

EXHIBIT 49

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

DECLARATION OF CYNTHIA BEANE

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I, Cynthia Beane, am the Commissioner for the West Virginia Bureau for Medical Services. In that capacity, I oversee the Bureau's operations and expenditures. I have been in this role since 2016.

2. The West Virginia Bureau for Medical Services is the single statewide agency responsible for the State's Medicaid program.

3. In fiscal year 2018, West Virginia spent \$660,126 on emergency Medicaid services to non-citizens who do not qualify for lawful status. These services are provided as required by 42 C.F.R. § 435.139.

STATES000318

4. The West Virginia Bureau for Medical Services does not track whether emergency Medicaid recipients are also Deferred Action for Childhood Arrivals participants.

5. West Virginia cannot provide an estimate of healthcare-related expenditures for specific individuals without first obtaining their personal identifying information.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 22 day of July, 2019.



Cynthia Beane
Commissioner
West Virginia Bureau for Medical Services
350 Capitol Street
Room 251
Charleston, WV 25301

EXHIBIT 50

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, ET AL.;)	
)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Case No. 1:18-cv-00068
)	
)	
UNITED STATES OF AMERICA, ET AL.;)	
)	
<i>Defendants,</i>)	
)	
<i>and</i>)	
)	
KARLA PEREZ, ET AL.;)	
)	
STATE OF NEW JERSEY,)	
)	
<i>Defendants-Intervenors.</i>)	

DECLARATION OF JEFFREY S. SANDY

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I, Jeffrey S. Sandy, am the Cabinet Secretary for the West Virginia Department of Military Affairs and Public Safety ("DMAPS"). In that capacity, I oversee DMAPS's operations and expenditures. I have held this position since January 2017.

2. DMAPS provides support, oversight and guidance to agencies involved in all facets of public safety. This includes the State Police, State Fire Marshal, Division of Protective Services, Division of Corrections and Rehabilitation, Division of Justice and Community Services, Division of Homeland Security and Emergency

Management, Parole Board, Homeland Security State Administrative Agency, West Virginia National Guard, and West Virginia Intelligence Fusion Center.

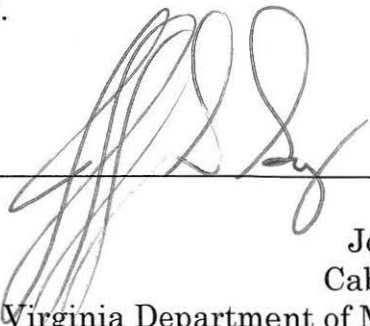
3. In fiscal year 2018, DMPAS expended \$497,553,658 in state funds.

4. DMAPS and its agencies do not track whether people receiving their services participate in the Deferred Action for Childhood Arrivals program.

5. West Virginia cannot provide an estimate of public safety-related expenditures for specific individuals without first obtaining their personal identifying information.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 23 day of July, 2019.



Jeffrey S. Sandy
Cabinet Secretary
West Virginia Department of Military Affairs
and Public Safety
1900 Kanawha Blvd., E.
Building 1, Room W-400
Charleston, WV 25305

EXHIBIT 51

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

Case No. 1:18-cv-00068

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

DECLARATION OF STEVEN L. PAINE

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I, Steven L. Paine, am the Superintendent of Schools for the West Virginia Department of Education. In that capacity, I oversee the agency's operations and expenditures. I have held this position since March 27, 2017.

2. The West Virginia Department of Education is the agency responsible for distributing state funding for K-12 education programs.

3. In the 2019 fiscal year, the agency's total expenditures were \$2,455,911,081. Of that amount, \$2,332,054,099 was distributed to, or on behalf of, county boards of education.

4. The West Virginia Department of Education does not track the immigration status of students enrolled in State-funded schools.

5. The West Virginia Department of Education cannot track the past or future costs of specific students without first obtaining their personal identifying information.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 19th day of July, 2019.

A handwritten signature in blue ink that reads "Steven L. Paine". The signature is written in a cursive style and is positioned above a horizontal line.

Steven L. Paine, Ed.D
State Superintendent of Schools
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305
Phone: 304-558-2681

EXHIBIT 52

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, <i>et al.</i> ,)	
)	
)	
)	
<i>Plaintiffs,</i>)	
)	
<i>v.</i>)	Case No. 1:18-cv-00068
)	
UNITED STATES OF AMERICA, <i>et al.</i> ,)	
)	
)	
)	
<i>Defendants,</i>)	
)	
<i>and</i>)	
)	
)	
KARLA PEREZ, <i>et al.</i> ,)	
)	
)	
<u>Defendant-Intervenors.</u>)	

DECLARATION OF MARY FRANKLIN

Pursuant to 28 U.S.C. § 1746, I declare the following:

1. My name is Mary Franklin. I am over 18 years of age, of sound mind, capable of making this declaration, have personal knowledge of the facts stated in it, and can affirm that they are true and correct.

2. I am employed as the Director of County Operations for the Arkansas Departments of Human Services. I oversee the eligibility operations of various State-Federal social service programs, including Medicaid and the Child Health Insurance Program.

3. In order to administer and operate its Medicaid program, Arkansas runs three (3) parallel software systems. Two systems are used for eligibility determination, and a third separate system is used for claims processing. Without

doing a comprehensive case-by-case, file-by-file, claim-by-claim granular review of each individual in the two eligibility determination systems and the separate claims processing system, Arkansas is unable to identify the specific dollar amount of state Medicaid expenditures on individuals who were DACA recipients at the time they received their specific health services beyond what Arkansas has already provided in this case. The above described level of review is required because the apportionment of state and federal dollars for each claim depends on the specific program, category, date, and type of service received.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on this 27th day of October 2020.



Mary Franklin

EXHIBIT 53

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, et al.,	*	
Plaintiffs	*	
VS.	*	
	*	
UNITED STATES OF AMERICA,	*	
et al.,	*	Case No. 1:18-CV-68
Defendants,	*	
	*	
and	*	
	*	
KARLA PEREZ, et al.,	*	
Defendant-Intervenors	*	

ORAL AND VIDEOTAPED DEPOSITION OF
MARY FRANKLIN
OCTOBER 5, 2020
(Reported Remotely)

ORAL AND VIDEOTAPED DEPOSITION of MARY FRANKLIN, produced as a witness at the instance of the Defendant-Intervenors, and duly sworn, was taken remotely in the above-styled and numbered cause on the 5th day of October, 2020, between the hours of 11:40 a.m. and 2:12 p.m., before TRICIA FOX WILLIAMS, CSR, in and for the State of Texas, reported by machine shorthand, at 700 Main Street, Little Rock, Arkansas, in accordance with the Federal Rules of Civil Procedure, the State of Texas 26th Emergency Order Regarding the COVID-19 State of Disaster, and the provisions stated on the record or attached hereto.

1 from the five year bar, does that mean that when they
2 apply for Medicaid, that Arkansas would then deem them
3 ineligible?

4 MR. DISHER: Objection, vague.

5 A. No, because -- no. This is just one section of
6 the manual. They may qualify in the Unborn Child
7 category, if you see B 250, Unborn Child category, where
8 it says, "Lawfully admitted aliens who do not meet the
9 five year residency requirement or undocumented aliens."
10 So individuals who have status of DACA can be covered in
11 Unborn Child, and they can also be covered in emergency
12 Medicaid, if they meet the emergency Medicaid criteria,
13 and that could be in multiple different Medicaid
14 categories. But as a general rule, no, they're not
15 eligible for Medicaid, they're eligible in limited
16 circumstances.

17 Q. (By Ms. Perales) Okay. I'm going to shrink
18 these documents back down. Okay, we're back to this
19 table again. So with respect to each individual who's
20 listed in Exhibit 3, can you tell me information about
21 these individuals as they are listed on this
22 spreadsheet? So, for example, for the person who's on
23 the top line of this spreadsheet, category code 06,
24 description Arkansas Works, we have some dates of
25 coverage, and then we have an amount, \$3,186.69. Are

1 you able to tell me for this person whether they were a
2 DACA recipient on the date of the reimbursed service?

3 A. No.

4 Q. Okay. And is that answer the same for every
5 person on this spreadsheet?

6 A. So -- yes.

7 Q. Okay.

8 A. This spreadsheet does not have the date that
9 the person was determined to be a DACA recipient.

10 Q. Okay. And then in terms of the program
11 category under which the service was reimbursed, for the
12 individuals on this spreadsheet, I understand that
13 you're not able to tell me for that specific individual,
14 for example, whether the service might have been
15 reimbursed under CHIP or Medicaid for some of these
16 folks; is that right?

17 A. For some, but not all.

18 Q. Okay. I'm just -- I'm going through the topics
19 on the Schedule A. And so topic six does say, "For each
20 DACA recipient who received services reimbursed by
21 Arkansas DHS," and then it asks a series of questions.
22 Are you able to testify today -- putting aside this
23 chart. Are you able to testify today about individual
24 DACA recipients who received services from Arkansas DHS,
25 and answer some questions about them?

1 A. Do you mean in general, or specific to
2 particular individuals?

3 Q. Specific to particular individuals.

4 A. No, I cannot speak specific to particular
5 individuals today.

6 Q. In our last discussion, you didn't have an
7 exact number for me, so I did put it on the topics,
8 whether you know the percent of Medicaid applications
9 that are submitted to Arkansas DHS online versus in
10 person; do you happen to know that?

11 A. I looked at a report that was from January of
12 2020, and it was about 42 percent online.

13 Q. Do you happen to know whether, if someone is
14 applying for Medicaid online, whether the application
15 will go through if it's missing information?

16 A. It depends on if the missing information is
17 necessary to determine eligibility.

18 Q. Do you happen to know whether the online
19 application asks for immigration-related information?

20 A. I know that it does, even though I can't give
21 you the specific questions, because citizenship and
22 status factor into Medicaid eligibility. So I know
23 there are questions, even though I don't know the
24 specific questions, and I know that if it's not
25 provided, the application would not be immediately

1 IN THE UNITED STATES DISTRICT COURT
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3 STATE OF TEXAS, et al., *
4 Plaintiffs *
5 VS. *
6 *
7 UNITED STATES OF AMERICA, *
8 et al., * Case No. 1:18-CV-68
9 Defendants, *
10 *
11 and *
12 *
13 KARLA PEREZ, et al., *
14 Defendant-Intervenors *

10 REPORTER'S CERTIFICATION
11 DEPOSITION OF MARY FRANKLIN
12 OCTOBER 5, 2020
13 (Reported Remotely)

14 I, TRICIA FOX WILLIAMS, Certified Shorthand
15 Reporter in and for the State of Texas, hereby certify
16 to the following:

17 That the witness, MARY FRANKLIN, was duly sworn
18 by the officer and that the transcript of the oral
19 deposition is a true record of the testimony given by
20 the witness;

21 That the deposition transcript was submitted on
22 _____ to the witness or to the attorney for the
23 witness for examination, signature and return to me by
24 _____;

25 That the amount of time used by each party at
the deposition is as follows:

MS. NINA PERALES - 01 HOURS:53 MINUTE(S)
MR. TODD DISHER - 00 HOURS:01 MINUTE(S)

1 That pursuant to information given to the
2 deposition officer at the time said testimony was taken,
3 the following includes counsel for all parties of
4 record:

5 MR. TODD DISHER, Attorney for Plaintiffs
6 MS. NINA PERALES, Attorney for
7 Defendant-Intervenors
8 MR. JEFFREY ROBINS, Attorney for Defendants
9 MR. DYLAN JACOBS, Attorney for State of Arkansas
10 MR. DAVID STERLING, Attorney for State of Arkansas

11 I further certify that I am neither counsel
12 for, related to, nor employed by any of the parties or
13 attorneys in the action in which this proceeding was
14 taken, and further that I am not financially or
15 otherwise interested in the outcome of the action.

16 Further certification requirements pursuant to
17 Rule 203 of TRCP will be certified to after they have
18 occurred.

19 Certified to by me this _____ of

20 _____, 2020.

21 _____
22 TRICIA FOX WILLIAMS
23 Certified Court Reporter
24
25

26 Certification Number: 8273
27 Date of Expiration: 10/31/2022
28 Firm Registration Number: 631
29 Business Address:
30 Kim Tindall & Associates
31 16416 San Pedro Ave., Suite 900
32 San Antonio, Texas 78232
33 (210)697-3400

EXHIBIT 54

Transcript of the Testimony of
Franklin, Mary Elizabeth

Date: September 18, 2019

Case: Texas v. USA (DACA)

Bushman Court Reporting

Connie Williams

Phone: (501) 372-5115

Fax: (501) 378-0077

www.bushmanreporting.com

1 I guess my question is whether we can tell
2 from Exhibit 4 the date on which this individual was
3 identified as DACA.

4 A No, you cannot.

5 Q Okay. It could possibly have been close to the
6 date that person applied for Medicaid; is that right?

7 A It could have been, but it is not necessarily true.

8 Q It could also be a date --

9 A It could be some other date as well.

10 Q Okay. It could be some other date as well.

11 So let's look at the second row. I wanted to
12 pick this individual who is associated with a category
13 description "Parent or Caretaker Relative." And the
14 begin date of service is December 2016, and the -- I
15 mean, begin date of coverage is December 1, 2016, and
16 the end date of coverage is December 31st, 2018. Do you
17 see that there?

18 A Yes.

19 Q And the charge is \$152.26 is the amount paid,
20 right?

21 A Correct.

22 Q So for this individual, would it be fair to say
23 that we don't see the date on which the service was
24 provided?

25 A That is correct.

1 Q And we don't see, as you mentioned earlier, the
2 date on which the person was identified as DACA; is that
3 correct?

4 A That's correct.

5 Q Do we also not see information about whether this
6 person, after they were identified as DACA, subsequently
7 transitioned to another immigration status, if they did?

8 A That's correct.

9 Q So is it fair to say, then, that the amount that is
10 shown in the total paid amount is not connected to a
11 date on which the system can show us the person was a
12 DACA recipient?

13 MR. DISHER: Objection; form.

14 BY MS. PERALES:

15 Q You may answer.

16 A Could you rephrase it for me?

17 Q Uh-huh. So we know that this individual in this
18 second row received a service that was paid for, and
19 that that happened between December 1, 2016, and
20 December 31, 2018, correct?

21 A Correct.

22 Q But we don't know when that person was identified
23 as DACA?

24 A Correct.

25 Q And we don't know if that person subsequently

1 transitioned to another immigration status during the
2 time period of coverage, correct?

3 A Correct.

4 Q And so we don't know whether the person was DACA or
5 not on the date of coverage --

6 MR. DISHER: Objection; form.

7 BY MS. PERALES:

8 Q -- based on this spreadsheet, correct?

9 MR. DISHER: Objection; form.

10 A I believe that is correct.

11 BY MS. PERALES:

12 Q Have you ever heard of somebody with DACA
13 transitioning to another immigration status?

14 A Personally, have I heard of that, no. I don't know
15 any specific individuals who have. But I do believe it
16 could happen.

17 Q So, for example, somebody might be DACA at age 22
18 and then get a little bit older and fall in love, get
19 married, and marry a U.S. citizen, and then be able to
20 adjust their status. Do you understand that to be
21 possible?

22 A I do not know all of the ways in which someone --
23 their immigration or citizenship status could change,
24 but I know it's possible.

25 Q Thank you. And then I have a question for you

C E R T I F I C A T E

[illegible]

I, Connie M. Williams, Certified Court Reporter and Notary Public, do hereby certify that the facts stated by me in the caption on the foregoing proceedings are true; and that the foregoing proceedings were reported verbatim through the use of the stenographic method and thereafter transcribed by me or under my direct supervision to the best of my ability, taken at the time and place set out on the caption hereto.

I further certify that in accordance with Rule 30(e) of the Rules of Civil Procedure, review of the transcript was requested by the deponent or a party thereto.

I further certify that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested in the outcome of this action, and that I have no contract with the parties, attorneys, or persons with an interest in the action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original deposition transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties to the action.

WITNESS MY HAND AND SEAL this 1st day
October, 2019.

Cennie M. Williams



CONNIE M. WILLIAMS
CCR, LS No. 750, Notary Public in
and for Perry County, Arkansas
My Commission Expires 5/2/23